

Warwick Township
PLANNING COMMISSION
Meeting Minutes
Virtual Meeting
May 6, 2020

Members Present: Kiel Sigafoos
Michael Italia
James Hoffecker
Michael Riotto
Kevin Madden

Others Present: Brandy Mckeever, Director of Planning and Zoning
Will D. Oetinger, Township Solicitor
John Evarts, Township Engineer
Catherine Topley, Recording Secretary

I. Call to Order

Mike Riotto called the May 6, 2020 Planning Commission meeting to order at 7:00 pm.

II. Consider approval of the March 4, 2020 Planning Commission Meeting Minutes

Motion by Mike Italia to approve the March 4, 2020 Planning Commission meeting minutes without revision, seconded by Kiel Sigafoos. Motion passed unanimously.

III. LD 20-01: Waiver of Land Development for 1531 Campus Drive.

Ms. McKeever explained that on March 12th, 2020 the Township received a waiver of land development submission by Steve Adams Realty, LLC. The applicant proposes waiving land development approval for existing structures. The plan reviewed was prepared by Cornerstone Consulting Engineers & Architectural, Inc. dated September 19, 2019.

Michael Yanoff, attorney for the applicant, gave an overview of how his client acquired the property, that Warwick Township Water & Sewer Authority owned it prior to the applicant and that when the applicant purchased it there was an existing building on the property. Mr. Yanoff also stated that he does not believe Land Development is applicable because it is a non-conforming use, and that the 2 structures the applicant erected in 2018 and 2019 are temporary structures. Mr. Yanoff noted that these 2 structures were erected without permits, and because the property precedes the 2010 zoning ordinance. Mr. Yanoff also explained that the 2 structures, although they do have a roof and walls are not permanently affixed to the ground and as the manufacturer states are temporary.

Mr. Oetinger asked when the use began as the ordinance dates back to 1979, in 2010 there were amendments made. Mr. Oetinger also confirmed that we are talking about the 2 newer structures, not the existing building from approximately 1996.

Mr. Evarts read the definition of structure from the Zoning Ordinance which states any man-made object having an ascertainable stationary location on or in land or water, whether or not permanently affixed to the land.

Mr. Italia stated that a temporary structure is something that does not last more than 180 days or 6 months on a parcel. It does not necessarily go by what the manufacture states as temporary. Because these building have been in their location for more than 6 months it becomes permanent.

Ms. McKeever read the definition of Land Development in the Subdivision and Land Development Ordinance (SALDO). She stated that this zoning ordinance was in place in the late 1970's and there was an amendment in 2010. She also stated that the new buildings encroach into the buffer zone which was a part of the original development plan which is a big issue.

Mr. Oetinger asked if the applicant has appeared before the Zoning Hearing Board and Mr. Yanoff stated they have not.

Mr. Riotto asked if there was any comment from the public, as there was not;

Mr. Italia made a motion to recommend denial of the Waiver of Land Development. Mr. Sigafos seconded the motion. Motion passed unanimously.

IV. LD 05-11 Warwick Village Commons- Phase II Tractor Supply Company Final Plan

Julie VonSpreckelsen was present on behalf of the applicant. Ms. VonSpreckelsen explained that they are here this evening for a recommendation final plan approval. Ms. VonSpreckelsen did not give an overview as this has been before the Planning Commission many times now.

Ms. VonSpreckelsen stated that the applicant re-submitted the plans and they pretty much mirror the last set except that they have added the crosswalk from the BLADCO property sidewalk extension to the Wawa as requested.

Ms. VonSpreckelsen stated that she would start with the staff review letter, then the CKS review letter Letter

Staff Review letter dated April 29, 2020:

1. Will Comply/Acknowledged
2. Will Comply/Acknowledged
3. Will Comply/Acknowledged
4. The fence is not shown as a result of discussion with the Board of Supervisors at their March meeting. They have done the dense buffering and walls at the corners as agreed.
5. Will Comply/Acknowledged
6. Will Comply/Acknowledged
7. Will Comply/Acknowledged
8. Will Comply/Acknowledged
9. Will Comply/Acknowledged
10. Will Comply/Acknowledged
11. Will Comply/Acknowledged
12. They included the lighting details but will make reference to the other details, they will not all be included on the plan set as some are prepared by others and it would be confusing with all the details/schematics, materials, cut sheets etc. not being construction ready.
13. Will Comply/Acknowledged
14. Will Comply/Acknowledged

ZONING:

1. Will Comply/Acknowledged

VARIANCES:

1. Will Comply/Acknowledged

2. Will Comply/Acknowledged

WAIVERS GRANTED/DEFERRED:

7. Will Comply/Acknowledged
10. The location of the trees in the parking lot are so that it does not conflict with site lighting.

CKS Review Letter dated April 27, 2020:

ZONING ORDINANCE ISSUES

1. Will Comply/Acknowledged
2. Will Comply/Acknowledged

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE ISSUES:

1. Will Comply/Acknowledged
2. Three sides of the intersection comply, it does not comply where the parking lot is which will be 15 ft so that they do not lose a parking spot.
3. Regarding the lighting under the roof in the display area. Applicant feels they are in compliance as the fixtures are as high and tight as they can get. The public will not see the bulbs. They confirmed for Mr. Evarts that there will be a note on the plan stating how far down the fixture/bulb will be.
4. Will Comply/Acknowledged
5. Will Comply/Acknowledged
6. Will Comply/Acknowledged
7. Will Comply, curbing is proposed, grass will be removed, and it will be concrete
8. Will Comply, pedestrian path will be asphalted to match with what BLADCO is using.
9. Will Comply/Acknowledged – The Board of Supervisors is ok with what has been decided, needs to be incorporated in final plan. Needs to be added to new action letter.
10. Will Comply/Acknowledged

TRAFFIC COMMENTS:

All items are - Will Comply/Acknowledged

GRADING, STORMWATER MANAGEMENT, EROSION & SEDIMENTATION CONTROL:

1. Will Comply/Acknowledged
2. Will Comply/Acknowledged
3. Dumpster - full details for the dumpster will not be shown on the plans only notes that reference the architectural drawings.
4. Will Comply/Acknowledged
5. Will Comply/Acknowledged
6. Will Comply/Acknowledged
7. Will Comply/Acknowledged

GENERAL:

1. Will Comply/Acknowledged
2. Discussed earlier – needs to be added to an action letter
3. Will Comply/Acknowledged
4. Will Comply/Acknowledged

5. Will Comply/Acknowledged
6. Will Comply/Acknowledged
7. Will Comply/Acknowledged
8. Will Comply/Acknowledged

Mr. Sigafos had the following questions:

1. At the four-way intersection, he would like to see more lighting as there will be a pedestrian crossing – Applicant stated they would look into it and see what they can do.
2. Regarding the bollard colors for the for the front parking spaces, would like to see a neutral color that matches the building. – Applicant will do this.
3. Is it possible to have the ramp enclosed so that kids do not try to skateboard on it and possibly get hurt – there was some discussion and it will not be able to be enclosed but it is grated which should not be conducive to skateboarding.

Mr. Riotto asked about having more lighting on the pathway to the BLADCO property – applicant stated that they did add a few extra but will double check it.

Ms. McKeever asked about the mountable median and quik curb, Mr. Britz stated that this will be on a separate plan set that its being permitted by PennDOT, this is normal, and they will be referencing it on the record plan. Mr. Evarts feels this is ok for highway improvements and Land Development.

Mr. Evarts stated that the variations from the stipulation agreement, and the changes did not make it in the action letter but will be put in the final action letter.

Kiel Sigafos made a motion to recommended final plan approval with the following conditions:

1. **Compliance with the CKS Review Letter dated 4/27/20**
2. **Compliance with the Staff Review Letter dated 4/29/20**
3. **Confirmation that the pedestrian pathway goes to the edge of the property line**
4. **Applicant to look into installing additional lighting at the 4-way intersection**
5. **Partial waiver on CKS review letter SALDO item number 2 – waiver of radius required**

Mike Italia seconded the motion. Motion passed unanimously.

V. Old Business None

VI. New Business

Ms. McKeever stated that the Loria submission will be postponed until we can hold an in-person meeting and confirmed that the township has received a 90-day waiver.

VII. Adjournment

- ❖ Mike Italia made a motion to adjourn, Jim Hoffecker seconded the motion. Motion passed unanimously. Meeting adjourned at 7:54 pm.

Respectfully submitted,

Brandy McKeever, CZO
Director Planning & Zoning